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July 19, 2021

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

Re: *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59

Dear Ms. Dortch:

Lumen¹ files this letter in response to a July 15, 2021 meeting Randy Clarke, Jeanne Stockman, and Phil Linse of Lumen had with Mark Stone, Aaron Garza, Kristi Thornton, and Jerusha Burnett of the Consumer and Government Affairs Bureau (the “Bureau”) concerning certain call redress and blocking requirements in the Commission’s *Fourth R&O*.²

Lumen explained that while it supports notifying originating callers when calls are blocked as a result of reasonable analytics and appreciates the balance the Commission is trying to strike in this area, some of the particular requirements in the *Fourth R&O* would present implementation challenges. Specifically, Lumen noted that the *Fourth R&O* described the expected burden of implementing originating caller notification requirements as follows:

The requirements we adopt today make use of existing tools voice service providers already use in other contexts. As a result, voice service providers’ networks should already be capable of handling these codes; the only changes needed are for voice service providers to ensure that appropriate steps are taken when calls move between VoIP and TDM.³

¹ This letter is filed by and on behalf of Lumen Technologies, Inc. (“Lumen”) and its regulated subsidiaries.

² See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No. 17-59, Fourth Report and Order 35 FCC Rcd 15221 (2020) (“*Fourth R&O*”).

³ *Fourth R&O* n. 127.

Based on this language in the *Fourth R&O*, Lumen pointed out that implementing SIP Response Codes 607/608 will take significantly more time and investment than the Commission anticipated. To illustrate this point, Lumen described recently learning from its software vendor that implementing SIP Response Codes 607/608 in a manner consistent with the *Fourth R&O* will require a major software platform upgrade, rather than a small-scale software release or “patch” that Lumen expected and that would have been consistent with the *Fourth R&O*’s description of the necessary implementation burden. The major platform upgrade that Lumen’s software vendor described will entail software development, lab testing, network testing and implementation to ensure seamless operation consistent with the *Fourth R&O*. Hardware modifications and, in some cases, costly and time-consuming hardware replacement will also likely be needed.

To further complicate implementation of the *Fourth R&O*’s blocking notification requirements, important industry work to determine how to make the specifications for SIP Response Codes 607/608 implementable is still underway and the ATIS standards for these codes are not yet finished. Accordingly, we are unclear what impact the finalized standards may have on the software development cycle and implementation schedule. Therefore, due to these timing realities, the software development, testing, and implementation process will likely require more time than the January 1, 2022 deadline imposed in the *Fourth R&O*.

Additionally, Lumen expressed that if the Commission’s mandate requires extensive and costly hardware and software modifications, as would those triggered by the *Fourth R&O*, then the Commission must provide a cost recovery mechanism to give providers an opportunity to recover the cost of implementing the mandate, particularly where, as here, the need for the mandated functionality is driven by a narrow industry segment.

During the meeting Lumen also reiterated its support for USTelecom’s Petition for Reconsideration of the *Fourth R&O* which seeks additional flexibility related to these requirements.⁴ Lumen also echoed points contained in comments it filed in June supporting the USTelecom Petition.⁵ In particular, Lumen explained how customer-based blocking is fundamentally different than analytics-based blocking and should be exempt from redress requirements such as call blocking notifications and blocked call lists. Lumen described how these legacy tools and features provide certain screening and blocking functions at the customer’s discretion and control and how these tools tend to be more limited in scope and more narrowly tailored by the customer than network-based, reasonable analytics tools which can block billions of calls at the network level without specific consumer input. Because of these important differences in the nature and scale of blocking tools on legacy networks, Lumen emphasized that any call blocking notification requirement or blocked call list stemming from the *Fourth R&O* should be limited to calls blocked based on reasonable analytics and not on

⁴ Petition for Reconsideration and Request for Clarification of USTelecom – The Broadband Association filed in CG Docket No. 17-59 on May 6, 2021 (“USTelecom Petition”).

⁵ Response of Lumen filed in CG Docket No. 17-59 on June 4, 2021.

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consumer-driven blocking tools.

The Bureau asked Lumen for alternatives that would enable originating callers to be notified when calls are blocked by reasonable analytics while alleviating the burdens Lumen identified. Lumen is actively investigating alternatives in collaboration with other service providers and with USTelecom and looks forward to having further discussions on this issue.

We appreciate the Commission's efforts on this important item and look forward to working together to implement reasonable redress requirements for analytics-based call blocking.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being filed in the appropriate docket.

Sincerely,

/s/ Randy Clarke

cc: Mark Stone
Aaron Garza
Kristi Thornton
Jerusha Burnett